

01/16/01
JC929 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b)

Attorney Docket No.: 2001_0032A

First Named Inventor : Thomas WIEBKE et al.

Title: METHOD AND APPARATUS FOR A CDMA CELLULAR RADIO TRANSMISSION SYSTEM

Express Mail Label No.:

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

Assistant Commissioner for Patents
ADDRESS TO: Box Patent Application
Washington, D.C. 20231

1. Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)

7. CD-ROM or CD-R in duplicate, large table or computer program (Appendix)

2. Small Entity Status is hereby asserted.

8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

3. Specification [Total Pages: 18]

a. Computer Readable Form
b. Specification Sequence Listing on:
i. CD-ROM or CD-R (2 copies); or
ii. Paper
c. Statement verifying identity of above copies

(preferred arrangement set forth below)

- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to Sequence Listing, a table, or a computer program listing appendix.
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. Drawing(s) (35 USC 113) [Total Sheets: 4]

ACCOMPANYING APPLICATION PARTS

5. Oath or Declaration

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement (when there is an assignee)

a.1. Newly executed (original or copy)

Power of Attorney

a.2. Unexecuted

11. English Translation Document (if applicable)

b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)

12. Information Disclosure Statement (IDS)/PTO-1449

Copies of IDS Citations

i. DELETION OF INVENTOR(S)

13. Preliminary Amendment

Signed statement attached deleting inventor(s) named
in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

15. Certified Copy of Priority Document(s)

(if foreign priority is claimed)

16. Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i).

Applicant must attach form PTO/SB/35 or its equivalent.

17. Other

COVER LETTER FOR APPLICATION FILED WITHOUT EXECUTED DECLARATION

6. Application Data Sheet (see 37 CFR 1.76)

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below, and in a preliminary amendment, or in an Application Data Sheet :

Continuation Divisional Continuation-in-part (CIP) of prior application No.

Prior Application Information: Examiner Group Art Unit

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference therein. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS



000513

PATENT TRADEMARK OFFICE

By: Michael S. Huppert

Michael S. Huppert
Registration No. 40,268

WENDEROTH, LIND & PONACK, L.L.P.
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January 16, 2001

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

0929 09/17 59521
U.S. PTO
01/16/01

In re application of

Thomas WIEBKE et al.

Serial No. NEW

: Attn: APPLICATION BRANCH

Filed January 16, 2001

: Attorney Docket No. 2001_0032A

METHOD AND APPARATUS FOR A CDMA
CELLULAR RADIO TRANSMISSION SYSTEM

PATENT OFFICE FEE TRANSMITTAL FORM

Assistant Commissioner for Patents
Washington, DC 20231

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

Sir:

Attached hereto is a check in the amount of \$1,150.00 to cover Patent Office fees relating to filing the following attached papers:

New application \$1,150.00

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Thomas WIEBKE et al.

By Michael S. Huppert
Michael S. Huppert
Registration No. 40,268
Attorney for Applicants

MSH/kjf

WENDEROTH, LIND & PONACK, L.L.P.

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Washington, D.C. 20006

Telephone (202) 721-8200

January 16, 2001

[Check No. 41404]
2001_0032A

DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATION

Original Supplemental Substitute PCT DESIGN

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title: METHOD AND APPARATUS FOR A CDMA CELLULAR RADIO TRANSMISSION SYSTEM

of which is described and claimed in:

the attached specification, or
 the specification in application Serial No. NEW, filed January 16, 2001, and with amendments through (if applicable), or
 the specification in International Application No. , filed , and as amended on (if applicable).

I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge my duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code, §119 (and §172 if this application is for a Design) of any application(s) for patent or inventor's certificate listed below and have also identified below any application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NO.	DATE OF FILING	PRIORITY CLAIMED
Europe	00100824.2	January 17, 2000	YES

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	U.S. FILING DATE	STATUS: PATENTED, PENDING, ABANDONED

And I hereby appoint Michael R. Davis, Reg. No. 25,134; Matthew M. Jacob, Reg. No. 25,154; Warren M. Cheek, Jr., Reg. No. 33,367; Nils Pedersen, Reg. No. 33,145; Charles R. Watts, Reg. No. 33,142; and Michael S. Huppert, Reg. No. 40,268, who together constitute the firm of WENDEROTH, LIND & PONACK, L.L.P., jointly and severally, attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

I hereby authorize the U.S. attorneys named herein to accept and follow instructions from GRUNECKER, KINKELDEY, as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and myself. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by me.

Send Correspondence to

Direct Telephone Calls to:

WENDEROTH, LIND & PONACK, L.L.P.
2033 K Street, N.W., Suite 800
Washington, D.C. 20006

WENDEROTH, LIND & PONACK, L.L.P.
Area Code (202) 721-8200

Direct Facsimile Messages to:
Area Code (202) 721-8250

Full Name of First Inventor	FAMILY NAME WIEBKE	FIRST GIVEN NAME Thomas	SECOND GIVEN NAME	
Residence & Citizenship	CITY Langen	STATE OR COUNTRY Germany	COUNTRY OF CITIZENSHIP Germany	
Post Office Address	ADDRESS Schumannstrasse 11, 63225 Langen Germany	CITY	STATE OR COUNTRY	ZIP CODE
Full Name of Second Inventor	FAMILY NAME SEIDEL	FIRST GIVEN NAME Eiko	SECOND GIVEN NAME	
Residence & Citizenship	CITY Darmstadt	STATE OR COUNTRY Germany	COUNTRY OF CITIZENSHIP Germany	
Post Office Address	ADDRESS Gruener Weg 1, 64283 Darmstadt Germany	CITY	STATE OR COUNTRY	ZIP CODE
Full Name of Third Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME	
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP	
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
Full Name of Fourth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME	
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP	
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
Full Name of Fifth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME	
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP	
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
Full Name of Sixth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME	
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP	
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE

I further declare that all statements made herein of my own knowledge are true, and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1st Inventor _____ Date _____
Thomas WIEBKE

2nd Inventor _____ Date _____
Eiko SEIDEL

3rd Inventor _____ Date _____

4th Inventor _____ Date _____

5th Inventor _____ Date _____

6th Inventor _____ Date _____

The above application may be more particularly identified as follows:

U.S. Application Serial No. NEW Filing Date January 16, 2001

Applicant Reference Number PA 32 537-035/mj Atty Docket No. 2001_0032A

Title of Invention METHOD AND APPARATUS FOR A CDMA CELLULAR RADIO TRANSMISSION SYSTEM

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Jc929 U.S. PTO
06/15/9521
01/16/01

In re application of

Thomas WIEBKE et al. : Attn: APPLICATION BRANCH

Serial No. NEW : Docket No. 2001_0032A

Filed January 16, 2001

METHOD AND APPARATUS FOR A CDMA
CELLULAR RADIO TRANSMISSION SYSTEM

COVER LETTER FOR APPLICATION FILED
WITHOUT EXECUTED DECLARATION

Assistant Commissioner for Patents

Washington, DC 20231

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

Sir:

The above-identified application has been submitted without an executed oath or declaration pursuant to 37 CFR 1.41(c).

It is respectfully requested that this application be assigned a serial number and awarded a filing date pursuant to 37 CFR 1.53.

A duly executed oath or declaration pursuant to 37 CFR 1.63 will be submitted after notification by the U.S. Patent and Trademark Office pursuant to 37 CFR 1.53(f).

A non-executed copy of the Declaration and Power of Attorney, containing the inventorship information, is attached. It is respectfully requested that all communications be directed to the firm indicated on the attached Declaration and Power of Attorney, namely:

WENDEROTH, LIND & PONACK, L.L.P.
2033 K Street, N.W., Suite 800
Washington, D.C. 20006

The required U.S. Patent and Trademark Office Filing Fee is submitted herewith.

Respectfully submitted,

Thomas WIEBKE et al.

By Michael S. Huppert
Michael S. Huppert
Registration No. 40,268
Attorney for Applicants

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January 16, 2001